Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 15, 2002

S. Leonard Rottman
Adelberg, Rudow, Dorf & Hendler, LLC
600 Mercantile Bank & Trust Building
2 Hopkins Plaza, Baltimore, MD 21201

Dear Mr. Rottman,

RE: 8415 Bellona Avenue Telecommunication Facility
Spirit and Intent Case No. 97-36-X, 8th Election District

Your letter addressed to Mr. Jablon, dated March 5, 2002 has been referred to me for reply. After careful review of the materials included with the letter and the zoning records for this property the following has been determined.

The proposed additional equipment cabinet is considered to be within the "spirit and intent" of Zoning Case No. 97-36-X. You must sticky-back a copy of this letter on all plans submitted to Baltimore County for permit approval.

Please prepare and submit to this office an amended version of the site plan submitted in Zoning Case No. 97-36-X clearly showing the addition and other collateral changes, including a signature block titled:

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND ORDER IN ZONING CASE No. 97-36-X

_____
Signed By Date

This amended plan will be included in the zoning case file.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Lloyd T. Moxley
Planner II, Zoning Review

LTM

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Planner II, Zoning Review

LTM

IN RE: PETITION FOR SPECIAL EXCEPTION
NE/Corner Bellona Lane and
Bellona Avenue
(8415 Bellona Lane)
8th Election District
3rd Councilmanic District

Willard Hackerman, Legal Owner;
AT&T Wireless Services, Inc., Contract Lessee - Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 97-36-X

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 8415 Bellona Lane, located in the vicinity of Charles Street in Ruxton. The Petition was filed by the owner of the property, Willard Hackerman, and the Contract Lessee, AT&T Wireless Services, Inc., by Frances Kingsbury, Agent, through their attorney, S. Leonard Rottman, Esquire. The Petitioners seek approval of a wireless transmitting and receiving facility at the subject location, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Michael H. Yglesio, John Andrews, Richard Davis and Brad Fleegle with AT&T Wireless Services, Inc., Contract Lessee, and Paul A. Dorf, Esquire, attorney for the Petitioners. There were no protestants present.

Testimony and evidence offered revealed that the subject property consists of 4.78 acres, more or less, zoned D.R. 16 and is improved with a high-rise apartment building known as the Ruxton Towers. The Petitioners are desirous of locating a wireless transmitting and receiving facility atop the roof of the subject building in accordance with the site plan

submitted into evidence as Petitioner's Exhibit 1. The site plan of the property shows the proposed facility and the approximate location of the antennae on the subject building. Testimony revealed that the subject building is already being used to support wireless transmitting and receiving antennae for another communication company. Furthermore, there was no community opposition nor any adverse comments submitted by any Baltimore County reviewing agency. In addition, the the owner of the Ruxton Towers supports the proposed installation of the subject facility on top of the existing building as opposed to the installation of a monopole or tower elsewhere on the site. The Petitioners also submitted as Petitioner's Exhibit 2, the required Environmental Impact Statement, which indicates the suitability of the subject site for the proposed use.

It is clear that the B.C.Z.R. permits the use proposed in a D.R.16 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of September, 1996 that the Petition for Special Exception to approve a wireless transmitting and receiving facility at the subject location, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.), and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 9/11/96
By bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 11, 1996

Paul A. Dorf, Esquire
Adelberg, Rudow, Dorf, Hendler & Sameth
600 Mercantile Bank & Trust Building
Two Hopkins Plaza
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
NE/Corner Bellona Lane and Bellona Avenue
(8415 Bellona Lane)
8th Election District - 3rd Councilmanic District
Willard Hackerman, Legal Owner;
AT&T Wireless Services, Inc., Contract Lessee - Petitioners
Case No. 97-36-X

Dear Mr. Dorf:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Willard Hackerman
8415 Bellona Lane, Baltimore, Md. 21208

Mr. Frances Kingsbury, AT&T Wireless Services, Inc.
8403 Colesville Road, Silver Spring, Md. 20910

Mr. Jack Andrews, Broadcast Tower Sites, Inc.
4340 East West Highway, Bethesda, Md. 20814

People's Counsel; Case File

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 8415 Bellona Lane

97 96-36-X **which is presently zoned** DR 16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

an additional wireless transmitting and receiving facility pursuant to 1B01.1.C.20

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:
AT&T Wireless Services, Inc

Frances Kingsbury
(Type or Print Name)

Frances Kingsbury, agent
Signature

8403 Colesville Road
Address

Silver Spring, MD 20910
City State Zipcode

Attorney for Petitioner:
S. Leonard Rottman
Adelberg, Rudow, Dorf, Hendler & Sameth, LLC
(Type or Print Name)

Signature

600 Mercantile Bank & Trust Building
Two Hopkins Plaza 539-5195
Address Phone No.

Baltimore, MD 21201
City State Zipcode

Legal Owner(s):

Willard Hackerman
(Type or Print Name)

Signature

(Type or Print Name)

Signature 8415 Bellona Lane 821-1100

~~1 Slade Avenue~~ 484-2818
Address Phone No.

Baltimore, MD ~~21208~~ 21204
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser, or representative to be contacted.

Jack Andrews, Broadcast Tower Sites, Inc.
Name
4340 East West Hwy, Bethesda, MD 20814
(301) 652-1496
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
unavailable for Hearing

the following dates NA Next Two Months

ALL _____ OTHER _____

REVIEWED BY: SM DATE 7-23-96

ORDER RECEIVED FOR FILING
Date
By

Zoning Administration & Development Management

MICROFILMED

32

Description 96-36-X

To Accompany Petition for Special Exception

4.78 Acre Parcel

Part of the Willard Hackerman Property

Northeast Side of Bellona Lane

Northwest Side of Bellona Avenue

Eighth Election District, Baltimore County, Maryland

DMW

Daft·McCune·Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
410 296 3333
Fax 296 4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Beginning for the same on the northeast side of Bellona Lane, 50 feet wide, at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Bellona Lane with the centerline of Bellona Avenue (1) North 04 degrees 50 minutes 10 seconds West along said centerline of Bellona Lane 68 feet, more or less, and thence (2) North 85 degrees 09 minutes 50 seconds East 25 feet to the point of beginning, thence leaving said beginning point and binding on said northeast side of Bellona Lane (1) North 04 degrees 50 minutes 10 seconds West 1074.45 feet, thence leaving said lane (2) North 87 degrees 29 minutes 30 seconds East 115.58 feet to the southwest side of the Baltimore Beltway - Charles Street Interchange, thence binding on the southwest and northwest sides of the said interchange, the four following courses and distances, viz: (3) South 41 degrees 35 minutes 20 seconds East 169.84 feet, thence (4) South 12 degrees 44 minutes 00 seconds East 288.14 feet, thence (5) South 08 degrees 33 minutes 30 seconds West 651.35 feet, and thence (6) South 47 degrees 10 minutes 20 seconds West 74.42 feet to intersect the northwest side of Bellona Avenue, thence binding thereon the

32

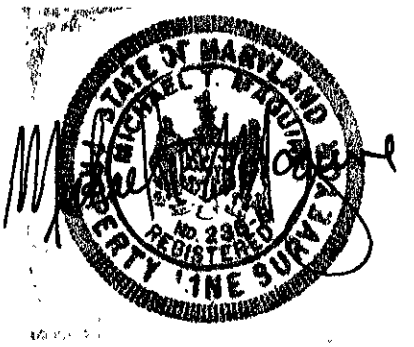
97-376-X

two following courses and distances viz: (7) South 86 degrees 03 minutes 20 seconds West 17.00 feet, and thence (8) North 49 degrees 08 minutes 20 seconds West 43.21 feet to the point of beginning; containing 4.78 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

June 21, 1996

Project No. 96036.11



32

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 97-36-X

Towson, Maryland

District 8th Date of Posting 8/9/96

Posted for: Special Exception

Petitioner: AT+T Wireless Services Inc

Location of property: 8415 Bellona Lane

Location of Signs: Facing roadway on property being zoned

Remarks:

Posted by M. Hessley Date of return: 8/16/96

Signature

Number of Signs: 1

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-36-X
(Item 32)
8415 Bellona Lane
E/S Bellona Lane, SEC Judges Lane
8th Election District
3rd Councilmanic
Legal Owner(s):
Willard Hackerman
Contract Purchaser/Lessee:
AT&T Wireless Services, Inc.
Special Exception: for an additional wireless transmitting and receiving facility.
Hearing: Tuesday, September 3, 1996 at 11:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES. (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.

8/151 August 8. C72819

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/8, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/8, 1996.

THE JEFFERSONIAN,

A. Henrion

LEGAL AD. - TOWSON

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: _____ Petitioner: AT+T Wireless Services, Inc

Location: 8415 Bellona Lane - Towson Md 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: S. Leonard Rattman

ADDRESS: Suite 600 - Mercantile Bldg
Two Hopkins Plaza - Balto Md 21201

PHONE NUMBER: 539-5195

MICROFILMED 52

TO: PUTUXENT PUBLISHING COMPANY
August 8, 1996 Issue - Jeffersonian

Please foward billing to:

S. Leonard Rottman, Esq.
Suite 600 Mercantile B.O
Two Hopkins Plaza
Baltimore, Maryland 21201
539-5195

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or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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8415 Bellona Lane
E/S Bellona Lane, SEC Judges Lane
8th Election District - 3rd Councilmanic
Legal Owner(s): Willard Hackerman
Contract Purchaser/Lessee: AT&T Wireless Services, Inc.

Special Exception for an additional wireless transmitting and receiving facility.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

HEARINGS

Court Reporter:

Other:

Name and Address	Time	Class	Remarks
Athena Antonis Stanley Antonis Vaneta Telis **FIFTEEN MILE HOUSE, INC.** t/a 15 Mile House 11515 Reisterstown Road Owings Mills, MD 21117 DISTRICT (04) - Bowler	2:00 p.m.	D(BWL) **SHOW CAUSE**	Hearing to Show Cause Why License Should Not be Suspended or Revoked Due to Alleged Violations. ARTICLE 2B - Annotated Code of Md. Section 69. Causes Section 70. Procedure Section 118. Sales to Minors and Intoxicated Persons Prohibited. RULES AND REGULATIONS OF THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE COUNTY. RULE 28 - NO SALES TO MINORS Attorney:

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 2, 1996

NOTICE OF HEARING

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or
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Contract Purchaser/Lessee: AT&T Wireless Services, Inc.

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HEARING: TUESDAY, SEPTEMBER 3, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Willard Hackerman
Jack Andrews/Broadcast Tower Sites, Inc.
AT&T Wireless Services, Inc.
S. Leonard Rottman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

DIRECTOR

BUILDINGS ENGINEER

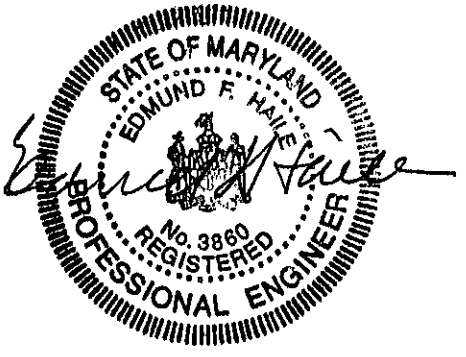
PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

Environmental Impact Statement

AT&T Wireless Services, Inc.
8415 Bellona Lane Site

July 1996
Project No. 96036.11

Prepared for:
AT&T Wireless Services, Inc.
8403 Colesville Road
Silver Spring, MD 20910



Prepared by:
Daft·McCune·Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286

PETITIONER'S EXHIBIT 2

I. INTRODUCTION

This Environmental Impact Statement (EIS) has been prepared to meet the requirements of § 502.7.C.10 of the Baltimore County Zoning Regulations, pursuant to a Petition for Special Exception for the development of a wireless transmitting and receiving facility at the Ruxton Towers apartment building located on Bellona Lane in Towson. The facility will be operated by a contract lessee, AT&T Wireless Services, Inc. (AT&T), 8403 Colesville Road, Silver Spring, MD 20910.

II. PROJECT SUMMARY

The proposed project consists of the construction and operation of a wireless transmitting and receiving facility for use as a Personal Communications Service (PCS) station. The facility will consist of nine panel antennas (54"± high x 6±" wide x 3±" deep). Six of the antennas will be pole-mounted to an existing penthouse, and three antennas will be sled-mounted on the main roof of the existing ten-story high rise apartment building. A pair of equipment cabinets housing PCS radio and interconnect equipment (7±' high x 5±' wide x 3.5±' deep) will be installed on a platform on the main roof. The station will be a component of the PCS system being constructed by AT&T to serve the Baltimore-Washington area.

The facility will be constructed on land owned by Willard Hackerman. The property is located at 8415 Bellona Lane in Towson. The facility will be wholly contained on the roof of the existing building within the boundary of the 4.78-acre property. The existing building is generally situated in the center of the property.

The subject property is zoned DR-16. Lands surrounding the property are zoned DR-16, OR-1, and RO. These properties are used for both residential and business purposes.

The facility can be constructed at this location with no land disturbance to the area. The site will be served by electric and telephone utilities only. No sanitary sewer, water, or natural gas facilities are needed for the operation of the facility. The facility is designed for unmanned operation, but will be subject to regular periodic maintenance visits.

III. PROBABLE ENVIRONMENTAL IMPACT

Site Clearing and Grading: The facility will be installed on an existing structure and will not require earth work or grading of any kind.

Site Drainage and Runoff: The facility will be installed atop an existing structure and will not create any new impervious area. There are no materials proposed to be used that could cause any chemical contamination of either runoff or ground water.

Wildlife Habitat: The site was visited by an Natural Resource Specialist on July 12, 1996. No significant plant or wildlife resources were found in the immediate vicinity of the proposed facility. The facility will be installed atop an existing structure, therefore no significant habitats will be disturbed.

The effects of radio broadcast towers on free ranging wildlife are largely unknown. However, studies on confined individuals indicate that non-ionizing radiation levels must be several orders of magnitude greater than those associated with this facility to have any measurable effect (see Page 3, *Acute short term exposures*). Wildlife studies on the effects of radio frequency radiation similar to that emitted by the proposed AT&T facility are unwarranted due to the extremely low levels of radiation.

Numerous studies have been conducted examining the long term migration patterns and habits of migratory birds. It is generally assumed that these birds use astronomical, magnetic, and landscape cues to compliment inherited genetic abilities to migrate. Significant landscape features such as cities, rivers, and mountain ranges are widely considered to be the features utilized by birds. More localized features such as towns, creeks, and wood lots are learned as more precise locator cues. It is unlikely that waterfowl which may migrate through the Towson-Lutherville area could be confused by the addition of this facility.

Noise: The proposed facility will not generate any audible noise on a routine operating basis.

RF Radiation:

Background - Energy associated with electromagnetic radiation depends on its frequency (or wavelength). The higher the frequency, the greater the energy. X-ray and gamma radiation are at the far end of the high-frequency radio spectrum and thus possess relatively large amounts of energy. Electromagnetic waves associated with this energy level are referred to as ionizing radiation which can alter biological molecules by stripping electrons from the atoms. It is important not to confuse the terms "ionizing" and "non-ionizing" when referring to electromagnetic radiation since their mechanisms of biological effects are quite different. The AT&T PCS system operates in a radio frequency (RF) radiation spectrum of 1950 to 1965 Megahertz (MHz). This frequency of RF radiation is within the range of non-ionizing energy. This means that the energy level is not sufficient to alter biological molecules.

Typical radiated power from an AT&T PCS transmitter is about 500 watts (W). With all six proposed transmitters operating simultaneously at full power, the entire facility will have an effective radiated power not exceeding 3,000 watts. By contrast, television and radio broadcasting facilities operate at 50,000 to 200,000 watts. When compared to power levels presented by television and radio broadcasting, one finds the PCS systempower levels orders of magnitude less.

Potential Health Effects - There is an extensive body of literature published concerning the biological effects of RF radiation. These effects are dependent upon the electromagnetic frequency, the power (energy level), and the duration of exposure. It has been known for some time that high intensity doses of RF radiation can be harmful by the effect of heating biological tissue. Tissue damage can result primarily because of the body's inability to dissipate the excessive heat. These "thermal" effects are the same principles that are applied by microwave ovens and diathermy machines used in the therapeutic deep tissue treatment procedures.

a. **Acute (short-term exposures)**

Short-term, high intensity (100-200 mW/cm^2 [milliwatts per square centimeter]) RF radiation exposures to rabbits have demonstrated eye tissue changes due to thermal effects. Such effects have not been demonstrated at low level (less than 10 mW/cm^2) power densities. Alterations in sperm production have also been reported and are related to thermal effects. The eyes and the testicles are particularly

inefficient at dissipating heat and thus are more susceptible to temperature related effects. It is important to note that the power densities required to produce thermal effects from short-term exposures are 150,000 to 1,500,000 times greater than the levels which can be expected at the base of the AT&T installation.

b. **Chronic (long-term exposures)**
The evidence of harmful biological effects at energy levels lower than those known to produce significant, measurable tissue heating has been controversial. The literature reports a wide range of potential non-thermal effects. These effects include behavioral modifications, reproductive, immunological and blood-forming effects, irritability, fatigue, and cardiovascular changes.

Human studies have not demonstrated significant differences between RF radiation exposed and unexposed populations. While various hypotheses have been formed to explain non-thermal effects, there is insufficient information to change currently accepted exposure level guidelines.

Standards and Guidelines:

a. **ANSI/IEEE C95.1 - 1992:**
Standards for maximum permissible RF radiation exposure levels were established by the American National Standards Institute (ANSI) in 1992, as ANSI/IEEE C95.1-1992. This standard was subsequently adopted by the Federal Communications Commission on September 19, 1994.

The maximum permissible exposure power densities designated by ANSI/IEEE C95.1-1992 were decreased by a factor of five from a 1982 ANSI standard for "uncontrolled" environments. The formula to calculate exposure limits at the frequencies used by the PCS system is:

f [frequency (MHz)]/1500

Substituting AT&T's frequencies in the formula, the maximum permissible power density exposure limits for 1950 to 1965 MHz are 1.30 to 1.31 mW/cm^2, respectively. The permissible exposure is

weighted over a 30-minute time period verses a six-minute period used in the previous 1982 ANSI guidelines.

At less than 0.001 mW/cm^2, the likely power densities at the base of the PCS system will be more than 1,200 times less than the maximum permissible exposure levels set by the ANSI guidelines.

b. **Other Guidelines**

The National Council on Radiation Protection and Measurements (NCRPM) specifies a fixed level of 1 mW/cm^2 as the acceptable exposure level for the general public. The International Radiation Protection Association's (IRPA) guidelines for public exposure also recommend 1 mW/cm^2.

Summary	Power Density (mW/cm^2)
ANSI/IEEE Maximum Permissible	1.30
NCRPM and IRPA Guidelines	1
Maximum Exposure Level at the base of a PCS Installation	<.001

Power Densities:

a. **PCS Systems**

A recent safety analysis by Bell Laboratories (October 12, 1995), indicates that "in all normally accessible areas in the neighborhood surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline." The full report of this study which includes more details of the characteristics of facilities like the proposed and their relationship to the published standards and guidelines is included as Appendix A.

b. **Radio and Television**

Radio and television stations transmit at frequencies between 550 kHz and 800 MHz. These stations transmit using radiated power in the tens of thousands watts. When compared to the 3,000 watts, or less, from the proposed PCS facility, one can readily see that PCS systems do not significantly contribute to the public's overall environmental exposures to RF radiation.

Environmental measurements of RF radiation by the Environmental Protection Agency and the FCC typically find levels well below exposure guidelines. In cases where levels have exceeded guidelines, there were unusual circumstances that placed the public too close to an antenna.

IV. DISCUSSION OF UNAVOIDABLE ADVERSE EFFECTS

Based on the above observations, the unavoidable adverse effects can be reduced to one item: the visibility of the antennas. This facility will be installed among several existing antennas using pole and sled-mounted panel antennas, the addition of which will not significantly detract from the building's existing appearance.

V. ALTERNATIVES TO THE PROPOSED ACTION

Should approval for the proposed project be denied, it would be necessary to seek an alternative site within 0.25 to 0.5 mile of the present location. A tower of at least 125 feet in height and the associated equipment cabinets would have to be constructed. Approval of the proposed rooftop facility will eliminate the potential need for a freestanding monopole or tower facility.

VI. ASSESSMENT OF LONG-TERM EFFECTS

The long-term effects are limited to the presence of the proposed antennas. No environmental degradation will result from placing this facility on top of the existing structure.

VII. COMMITMENT OF RESOURCES

The proposed project does not require any unusual materials or resources. Approval of the project will negate the need for an additional nearby station thereby conserving the land, materials, and energy required to construct it.

VIII CONCLUSIONS

The proposed project will cause little or no impact to the environment and in effect, will result in a benefit to the public by providing improved Personal Communication Systems service in Baltimore County.

Appendix A

AT&T
Bell Laboratories

Safety Analysis of the Electromagnetic Environment in the Vicinity of a Personal Communication Services (PCS) Base Station

Radiation Protection and Product Safety Department
AT&T Bell Laboratories
Murray Hill, New Jersey 07974-0636

Summary

This report is a safety analysis of the radiofrequency (RF) electromagnetic environment in the vicinity of a typical AT&T Wireless Services PCS radio base station. The analysis utilizes engineering data provided by AT&T Wireless, together with well-established analytical techniques for calculating the RF electromagnetic fields associated with PCS antennas. Worst-case assumptions were used to ensure safe-side estimates, i.e., the actual values will be significantly lower than the corresponding analytical values. The analysis indicates that the maximum level of RF energy to which the public may be exposed is below all applicable health and safety limits.

Specifically, in all normally accessible areas in the neighborhood surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline.

Prepared for
AT&T Wireless Services
15 E. Midland Avenue
Paramus, New Jersey 07652

October 12, 1995

1. Introduction

This report was prepared in response to a request from AT&T Wireless Services for a safety analysis of the radiofrequency (RF) electromagnetic environment in the vicinity of a typical personal communication services (PCS) base station, and an opinion regarding the concern for public health associated with long-term exposure in the environment surrounding such an installation.

2. Technical Data

PCS base station antennas transmit at frequencies between 1930 and 1965 million hertz (MHz). Like antennas used for cellular radio, PCS antennas might be mounted on a lattice tower, monopole-type structure or on a building rooftop.

Based on information provided by AT&T Wireless Services, the radiated power per transmitter (channel) for a PCS base station would be less than 10 watts, and the radiated power per sector would be less than 240 watts (assuming the maximum number of transmitters are installed and operate simultaneously). This is an extremely low power system when compared with other familiar radio systems, such as AM, FM and television broadcast, which operate upwards of 50,000 watts. Figure 1. is a diagram of the electromagnetic spectrum which also lists common uses of RF energy. Table 1 below lists engineering specifications for a PCS base station.

Table 1.
Engineering Specifications for a Typical PCS Radio System

Site Specifications	
antenna centerline height above grade	98 ft
number of transmit antennas per sector	1
number of receive antennas per sector	2
number of transmitters (channels) per sector	24
antenna manufacturer	DAPA
model number	58000
gain	17.15 dBi
downtilt	0°
maximum ERP† per channel	120 watts
maximum radiated power per channel	4 watts
maximum radiated power per sector‡	96 watts

† *ERP - Effective Radiated Power:* ERP is a measure of how well an antenna concentrates RF energy; it is not the power radiated from the antenna. To illustrate the difference, compare the brightness of an ordinary 100 watt light bulb with that from a 100 watt spot-light. Even though both are 100 watts, the spot-light appears brighter because it concentrates the light in one direction. In this direction, the spot light *effectively* appears to be emitting more than 100 watts. In other directions, there is almost no light emitted by the spot-light and it *effectively* appears to be much less than 100 watts.

‡ Assumes the maximum number of transmitters per sector: 24, are operating continuously.

3. Environmental Levels of RF Energy

The antenna pattern from a PCS antenna is such that the energy is propagated in a relatively narrow beam (in the vertical plane) which is directed toward the horizon. The reason for this is to provide uniform coverage. Hence, levels of RF energy directly under the antennas will not be remarkably different from the levels at points more distant.

For a PCS base station, the maximum potential exposure level associated with operation of the antennas can be readily calculated at any point in a plane at any height above grade. Based on the information provided by AT&T Wireless, and assuming that the maximum number of radio channels operates continuously, the power density at any point in a horizontal plane 6 ft above grade will be less than 1.0 millionth of a watt per centimeter squared (1.0 $\mu W/cm^2$), and also will be less than 1.3 $\mu W/cm^2$ at any point in a corresponding plane 16 ft above grade. The latter is representative of the maximum power density immediately outside of the second floor of nearby residences (assuming level terrain).

The above levels are theoretical maxima that could occur and are not typical values. The calculations include the effect of field reinforcement from in-phase reflections, and the assumption was made that the maximum number of transmitters operates simultaneously and at maximum output power. Although the above values are obtained analytically, experience has shown that the technique used is extremely conservative. That is, the measured power density levels have always been found to be smaller than the corresponding calculated levels[1]. Furthermore, levels inside nearby homes and buildings will be lower than those immediately outside because of the high attenuation of common building materials at these frequencies and, hence, will not be significantly different from normal ambient levels.

4. Comparison with Standards

Table 2 below shows the calculated maximal RF power density levels in the vicinity of a base station. Table 3 shows the pertinent federal, state and consensus exposure limits for human exposure to RF energy. The various exposure limits range from 1,000 $\mu W/cm^2$ (public exposure) to 10,000 $\mu W/cm^2$ (occupational exposure), while the corresponding calculated maximum power density levels in the environment surrounding a PCS installation from operation of the antennas would be less than 1.0 $\mu W/cm^2$ (at 6 ft above grade) and 1.3 $\mu W/cm^2$ (at 16 ft above grade). The power density in the main beam of the antenna will be less than 10 $\mu W/cm^2$ at any distance greater than 200 ft from the antennas.

Table 2
Calculated Maximal RF Power Density Levels
for a Typical PCS Base Station

Location	Power Density ($\mu W/cm^2$)
6 ft above grade	< 1.0
16 ft above grade	< 1.3
In the main beam, 200 ft from the antennas	< 10.0

1. Petersen, R.C., and Testagrossa, P.A., Radiofrequency Fields Associated with Cellular Radio Cell-Site Antennas, *Bioelectromagnetics*, Vol. 13, No. 6 (1992).

Table 3
Summary of State, Federal and Consensus Guidelines for Exposure to Radiofrequency Energy at Frequencies Used for PCS

Organization/Government Agency	Exposure Population	Exposure Limit ($\mu W/cm^2$)
Occupational Safety & Health Administration (OSHA - 29 CFR 1910.97)	Occupational	10,000
American National Standards Institute (ANSI C95.1 - 1982)	Occupational Public	5,000 5,000
Institute of Electrical and Electronic Engineers * (ANSI/IEEE C95.1 - 1992)	Occupational Public	6,000 1,200
National Council on Radiation Protection & Measurements (NCRP Report 86 - 1986)	Occupational Public	5,000 1,000
U.S. Federal Communications Commission (requires PCS licensees to comply with ANSI C95.1 - 1992)	Occupational Public	6,000 1,200
New Jersey Administrative Code (NJAC 7:28-42)	Public	5,000
Massachusetts Department of Health (105 CMR 122)	Public	1,000
New York State Department of Health (follows NCRP Report 86)	Public	1,000

* Latest revision of ANSI C95.1 - 1982

5. Discussion of Health Standards

Recently, press coverage has suggested an association between health effects and exposure to magnetic fields from electric-power distribution lines, and from the use of hand-held cellular telephones. This press coverage has heightened concern among some members of the public about the possibility that health effects may be associated with *any* exposure to electromagnetic energy. Many people feel uneasy about new or unfamiliar technology and often want absolute proof that something is safe. Such absolute guarantees are not possible since it is virtually impossible to prove that something does *not* exist. However, sound judgments can be made as to the safety of a physical agent based on the weight of the pertinent scientific evidence. This is exactly how safety guidelines are developed.

The overwhelming weight of scientific evidence unequivocally indicates that biological effects associated with exposure to RF energy are threshold effects, i.e., unless the exposure level is sufficiently high the effect will not occur regardless of exposure duration. (Unlike ionizing radiation, e.g., X-rays and nuclear radiation, repeated exposures to low level RF radiation, or nonionizing radiation, are not cumulative.) Thus, it is relatively straightforward to derive safety limits. By adding safety factors to the threshold level at which the most sensitive effect occurs, conservative exposure guidelines have been developed to ensure safety.

At present, there are more than 10,000 reports in the scientific literature which address the subject of RF bioeffects. These reports, most of which describe the results of epidemiological studies and animal studies, have been critically reviewed by leading researchers in the field and all new studies are continuously being reviewed by various groups and organizations whose interest is developing health standards. These include the U.S. Environmental Protection Agency, the National Institute for Occupational Safety and Health, the National Council on Radiation Protection and Measurements, the

standards committees sponsored by the Institute of Electrical and Electronics Engineers, the International Radiation Protection Association under the sponsorship of the World Health Organization, and the National Radiological Protection Board of the UK. All of these groups have recently either reaffirmed existing health standards, developed and adopted new health standards, or proposed health standards for exposure to RF energy.

For example, in 1986, the National Council on Radiation Protection and Measurements (NCRP) published recommended limits for occupational and public exposure[2]. These recommendations were based on the results of an extensive critical review of the scientific literature by a committee of the leading researchers in the field of bioelectromagnetics. The literature selected included many controversial studies reporting effects at low levels. The results of all studies were weighed, analyzed and a consensus obtained establishing a conservative threshold upon which safety guidelines should be based. This threshold corresponds to the level at which the most sensitive, reproducible effects were reported in the scientific literature. Safety factors were incorporated to ensure that the resulting guidelines would be at least ten to fifty times lower than the established threshold, even under worst-case exposure conditions. The NCRP recommended that continuous occupational exposure to PCS radio frequencies should not exceed approximately 5,000 $\mu W/cm^2$, and continuous exposure of the public should not exceed 1,000 $\mu W/cm^2$.

In July of 1986, the Environmental Protection Agency published a notice in the *Federal Register*, calling for public comment on recommended federal guidance for exposure of the *public*[3] to RF energy. As of 1987 the EPA abandoned its efforts and failed to adopt official federal RF exposure guidelines. However, in 1993 the EPA, in commenting on the Federal Communications Commission's (FCC) Notice of Proposed Rule Making[4], recommended adoption of the 1986 NCRP limits.

Further, the maximum permissible exposure limits proposed by the Institute of Electrical and Electronics Engineers Standards Coordinating Committee SCC-28 (formerly ANSI Committee C95), were approved by the IEEE Standards Board on September 26, 1991[5], and approved by ANSI on November 18, 1992. This 1992 ANSI/IEEE C95.1 guideline resulted from an extensive critical review of the scientific literature and recommend a limit of 6,000 $\mu W/cm^2$ for continuous occupational exposure and 1,200 $\mu W/cm^2$ for continuous exposure of the public to PCS radio frequencies. (Although there are no federal safety limits, *per se*, in order to fulfill its obligations under the National Environmental Policy Act, the FCC requires that PCS licensees comply with the limits of the 1992 ANSI/IEEE C95.1 safety guideline[6].)

More recently, the World Health Organization's International Commission on Non-Ionizing Radiation Protection[7] and the National Radiological Protection Board in the United Kingdom[8] independently developed and published guidelines similar to those of ANSI/IEEE. Finally, what was formerly the USSR, which traditionally had the lowest exposure guides, twice has revised upward its limits for public exposure. Thus, there is a converging consensus of the world's scientific community as to what constitutes safe levels of exposure.

---

2. *Biological Effects and Exposure Criteria for Radio Frequency Electromagnetic Fields*, NCRP Report No. 86, National Council on Radiation Protection and Measurements, Bethesda, MD, (1986).
3. *Federal Register*: Vol. 51, No. 146, Wednesday, July 30, 1986.
4. Notice of Proposed Rule Making *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, August 13, 1993, ET Docket No. 93-62.
5. IEEE *Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz*, ANSI/IEEE C95.1-1992, Institute of Electrical and Electronics Engineers, Piscataway, NJ.
6. *Code of Federal Regulations*: 47 CFR 24.52, 1994.
7. *Electromagnetic Fields (300 Hz to 300 GHz)*, Environmental Health Criteria 137, World Health Organization, Geneva, Switzerland (1993).
8. *Board Statement on Restrictions on Human Exposure to Static and Time Varying Electromagnetic Fields and Radiation: Documents of the NRPB*: Vol. 4, No. 5, National Radiological Protection Board, Chilton, United Kingdom (1993).

With respect to the proposed PCS radio antennas, be assured that *actual* exposure levels in the vicinity of a typical base station will be below any health standard used anywhere in the world and *literally* thousands of times below any level reported to be associated with any verifiable functional change in humans or laboratory animals. This holds true even when all transmitters operate simultaneously and continuously. Power density levels of this magnitude are not even a subject of speculation with regard to an association with adverse health effects.

6. For Further Information

Anyone interested can obtain additional information about the environmental impact of land mobile services, including PCS, from:

Dr. Robert Cleveland, Jr.
Federal Communications Commission
Office of Engineering and Technology
Room 7002
1919 M Street NW
Washington, DC 20554
(202) 653-8169

7. Conclusion

A safety analysis has been performed with respect to potential public exposure to RF energy in the environment surrounding a typical PCS base station. The analysis utilized engineering data provided by AT&T Wireless Services together with well-established analytical techniques for estimating the environmental levels of RF energy associated with PCS antennas. Worst-case assumptions were used to ensure safe-side estimates, i.e., the actual values will be significantly lower than the corresponding analytical values. The analysis indicates that the maximum level of RF energy to which the public may be exposed will meet all applicable health and safety limits.

Specifically, in all normally accessible areas surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the public exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline.

Enclosures:
Figure 1 - Electromagnetic Spectrum

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Aven
Towson, Maryland 21204

August 29, 1996

S. Leonard Rottman, Esquire
Adelberg, Rudow, Dorf, Hendler & Sameth, LLC
600 Mercantile Bank & Trust Building
Two Hopkins Plaza
Baltimore, MD 21201

RE: Item No.: 32
Case No.: 97-36-X
Petitioner: Willard Hackerman

Dear Mr. Rottman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

		94-275sphx {massage therapist ok'd} 94-344x {atty} 94-413x {dentist} 95-274x {MD den'd}	
	11. Private colleges, et al	85-201x	
	12. Public utility uses	83-140xa	
	13. Public utility service centers	88-489sph 92-441sphxa 93-117x [elec substation]	
	15a. Rail passenger stations	91-409sphxa	
	19. Volunteer fire company	84-163spha 84-227sphx 92-302xa	
	20. Wireless transmitting	80-203x 84-284x 86-273sphx 90-169x	248 A2 143 354 NY2 817 405 NY2 764 387 SW2 see FCC 85-506
	21. Continuing care facilities	88-89xa 90- 92-38sphxa	
	24. Housing for elderly	89-26x	
***see §270	cemetery	91-138xa [colum/DR 1] 93-76x [cem/mauoleum] 95-181x [DR 2]	
	kennel	93-272xa [den'd]	

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: August 9, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 12, 1996
Item Nos. 026, 027, 028, 031, 032, 034, 035, 036, 037, 040, 041, and 042

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE21

JOB TITLE: GBMC-UNIT 45-REMOTE AREA #1 OUTRIGGER PROOF

PIPE DATA (cont.)

PIPE TAG / END NODES	ELEV (FT)	NOZ. (K)	PT (PSI)	DISC. (GPM)	Q(GPM) / VEL(FPS) / F.L./FT	DIA(IN) / HW(C)	LENGTH (FT)	PRESS. SUM (PSI)
Pipe: 27					-24.7	1.420 PL	11.00 PF	0.5
35	429.7	----	5.2 PE	8.0 15.7	5.0	120 FTG	---- PE	0.0
38	429.7	0.0 PV	9.2	0.0	0.044 TL		11.00 PV	0.2
Pipe: 28					-15.5	1.089 PL	4.00 PF	0.7
36	429.7	5.2 PE	8.0	15.5	5.3	120 FTG	T PE	0.0
38	429.7	0.0 PV	9.2	0.0	0.068 TL		10.00 PV	0.2
Pipe: 29					-15.4	1.089 PL	6.00 PF	0.8
37	429.7	5.2 PE	8.0	15.4	5.3	120 FTG	T PE	0.0
38	429.7	0.0 PV	9.2	0.0	0.067 TL		12.00 PV	0.2
Pipe: 30					-55.7	1.420 PL	9.50 PF	1.9
38	429.7	----	0.0 PE	9.0 0.0	11.3	120 FTG	---- PE	0.0
39	429.7	0.0 PV	11.9	0.0	0.198 TL		9.50 PV	0.9
Pipe: 31					-55.7	1.420 PL	12.00 PF	2.4
39	429.7	----	0.0 PE	11.0 0.0	11.3	120 FTG	---- PE	0.0
40	429.7	0.0 PV	13.9	0.0	0.198 TL		12.00 PV	0.9
Pipe: 32					-55.7	1.420 PL	7.00 PF	1.4
40	429.7	----	0.0 PE	13.0 0.0	11.3	120 FTG	---- PE	0.0
41	429.7	0.0 PV	15.9	0.0	0.198 TL		7.00 PV	0.9
Pipe: 33					-55.7	1.420 PL	8.33 PF	1.6
41	429.7	----	0.0	15.1 0.0	11.3	120 FTG	---- PE	0.0
43	429.7	0.0 PV	16.8	0.0	0.198 TL		8.33 PV	0.9
Pipe: 34					0.0	1.089 PL	2.75 PF	0.0
42	429.7	0.0 PE	16.0	0.0	0.0	120 FTG	T PE	0.0
43	429.7	0.0 PV	16.0	0.0	0.000 TL		8.75 PV	0.0
Pipe: 35					-55.7	1.420 PL	12.00 PF	2.4
43	429.7	----	0.0 PE	16.0 0.0	11.3	120 FTG	---- PE	0.0
45	429.7	0.0 PV	19.8	0.0	0.198 TL		12.00 PV	0.9
Pipe: 36					0.0	1.089 PL	2.75 PF	0.0
44	429.7	0.0 PE	19.1	0.0	0.0	120 FTG	T PE	0.0
45	429.7	0.0 PV	19.0	0.0	0.000 TL		8.75 PV	0.0
Pipe: 37					-55.7	1.420 PL	36.00 PF	8.5
45	429.7	0.0 PE	19.0	0.0	11.3	120 FTG	T PE	0.0
46	429.7	0.0 PV	27.9	0.0	0.198 TL		42.90 PV	0.9
Pipe: 38					10.2	1.420 PL	1.50 PF	0.0
15	429.7	----	0.0 PE	9.0 0.0	2.1	120 FTG	---- PE	0.0
47	429.7	5.2 PV	9.0	16.1	0.009 TL		1.50 PV	0.0
Pipe: 39					-5.9	1.420 PL	12.00 PF	0.0
47	429.7	----	5.2 PE	9.0 16.1	1.2	120 FTG	---- PE	0.0
48	429.7	5.2 PV	9.0	16.2	0.003 TL		12.00 PV	0.0

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 05, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:26,27,28,29,30,31,32,34, 35,36,37,38,39 AND 41.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

DIRECTOR

BUILDINGS ENGINEER

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

B A L T I M O R E C O U N T Y, M A R Y L A N D

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM DATE: Aug 8, 96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 5, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: #26
27
29
30
31
32
34
36
37
40
41
42

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

DIRECTOR

BUILDINGS ENGINEER

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

8-5-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 032 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: August 1, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 18, 26, 29, 31, (32,) 34, 35, 36, 37, 39, 40, 41, and 42

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Clews

PK/JL

ITEM18/PZONE/TXTJWL

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION 8415 Bellona Lane, E/S Bellona Lane, SEC Judges Lane, 8th Election District, 3rd Councilmanic Legal Owner(s): Willard Hackerman Contract Purchaser/Lessee: AT&T Wireless Services, Inc. Petitioners	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 97-36-X

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to S. Leonard Rottman, Adelberg, Rudow, Dorf, 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

H O L D H A R M L E S S A G R E E M E N T

ATTENTION: Vince G. Kicas, Actg. Chief,
Construction Contracts Administration Division
Baltimore County Office Building
Room 300B

Re: Philadelphia Road, MD Route #7
95-030 R.S.-1
Contract Number: 95-030 D.S.-2

Gentlemen:

We the undersigned will not hold Baltimore County responsible for any additional cost to the above contract incurred because any road or right-of-way failed to meet subgrade specifications as shown on the contract drawings.

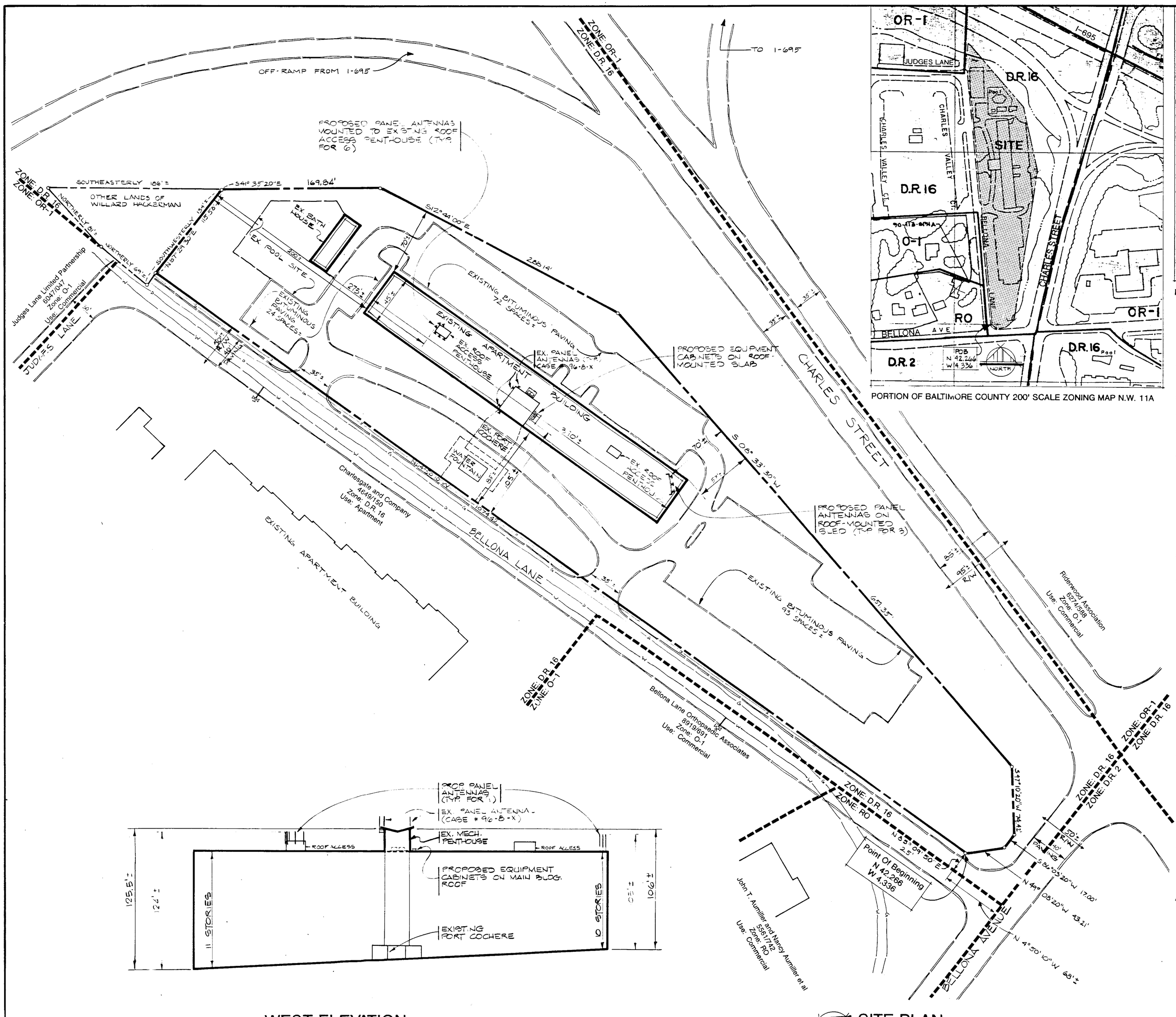
CONTRACTOR'S SIGNATURE _____

NAME OF COMPANY _____

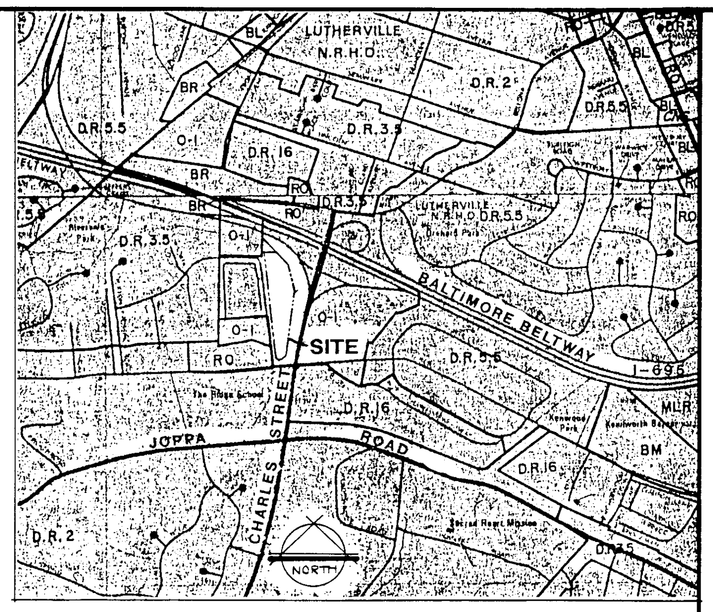
DEVELOPER'S SIGNATURE _____

NAME OF COMPANY _____

APPROVED _____
Vince G. Kicas, Actg. Chief,
Construction Contracts
Administration Division



PORTION OF BALTIMORE COUNTY 200' SCALE ZONING MAP N.W. 11A



PORTION OF BALTIMORE COUNTY 1000' SCALE ZONING MAPS E-2 & D-2.

NOTES:

1. Current owner and street address: Willard Hackerman, 1 Slade Avenue, Baltimore, MD 21208
2. Contract lessee/ Petitioner: AT&T Wireless Services, Inc., 8403 Colesville Road, Silver Spring, MD 20910
3. Site area: 4.78 Ac.±
4. Existing use: High-rise apartments
5. Site Address: 8415 Bellona Lane, Towson, MD 21204
6. Site data: Tax map 60, block 23, parcel 521; Deed reference: 5954/742; Tax Account No. 09-0903371952; Zoning: D.R. 16; Election District: 8; Councilmanic District: 3
7. The proposed wireless transmitting and receiving facility will consist of six panel antennas mounted to an existing rooftop access penthouse, three panel antennas on a rooftop sled mount, and two equipment cabinets installed on a rooftop pad.
8. No new or additional water or sanitary utilities are required for the proposed wireless transmitting and receiving facility.
9. The information and boundary location shown hereon have been compiled from deeds, plats, and other sources believed to be reliable; however their accuracy is not guaranteed and is subject to revision.
10. Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times. An Environmental Impact Statement will be provided at the hearing.
11. No lights are proposed for the wireless transmitting and receiving facility.
12. There are no signs proposed for this facility.
13. Setbacks:
Non-residential principal structure in a D.R.16 zone pursuant to §1B01.2.C.1.a

	Required	Existing to building	Provided to wireless facility
Front:	30'	85'±	105'±
Side (north):	25'	200'±	275'±
Rear:	30'	57'±	70'±

14. Amenity open space: N/A
15. Parking: Proposed Spaces: 0
The proposed wireless transmitting and receiving facilities do not block or affect any existing parking spaces.
16. This site was the subject of Zoning Case No. 96-8-X which requested a Special Exception for a wireless transmitting and receiving facility. The requested relief was granted by an Order dated August 16, 1995
17. This site was the subject of the following permits: 494-73 , 739-73, 923-73, 25[illegible] & B245656

97-36-X

Attorney: S. Leonard Rotberg, Adelberg, Rudow, Dorf, Hendler & Sameth, LLC, 600 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, MD 21201, (410) 539-5195

PETITIONER'S EXHIBIT — PRINTED JUN 25 1996 — DAFT-McCUNE-WALKER, INC.

Requested Zoning Action

Special Exception pursuant to BCZR §1B01.1.C.20 to permit an additional wireless transmitting and receiving facility in a D.R.16 zone.

(Pursuant to §502.7.D.1 the site is exempt from subparagraphs 502.7.C.1, 2, 3, 4 and 5 of the B.C.Z.R.)

MICROFILMED

WEST ELEVATION

Not To Scale

SITE PLAN

Scale: 1"=50'

AT&T WIRELESS SERVICES℠

Lutherville Site

8th Election District

Baltimore County, Maryland

Site Plan to Accompany Petition for Special Exception

DMW
Daft McCune Walker, Inc.
A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals
200 E. Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax: 296-4705

No.	Description	Date
REVISIONS		

Proj. No.	96036.11
Date	21 JUN 96
Scale	As Shown
Last Rev.	

Sheet 1 OF 1

32

IN RE: PETITION FOR SPECIAL EXCEPTION
NE/Corner Bellona Lane and Bellona Avenue
(8415 Bellona Lane)
8th Election District
3rd Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-36-X

Willard Hackerman, Legal Owner;
AT&T Wireless Services, Inc., Contract Lessee - Petitioners

* * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 8415 Bellona Lane, located in the vicinity of Charles Street in Ruxton. The Petition was filed by the owner of the property, Willard Hackerman, and the Contract Lessee, AT&T Wireless Services, Inc., by Frances Kingsbury, Agent, through their attorney, S. Leonard Rottman, Esquire. The Petitioners seek approval of a wireless transmitting and receiving facility at the subject location, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Michael H. Yglesio, John Andrews, Richard Davis and Brad Fleegle with AT&T Wireless Services, Inc., Contract Lessee, and Paul A. Dorf, Esquire, attorney for the Petitioners. There were no protestants present.

Testimony and evidence offered revealed that the subject property consists of 4.78 acres, more or less, zoned D.R. 16 and is improved with a high-rise apartment building known as the Ruxton Towers. The Petitioners are desirous of locating a wireless transmitting and receiving facility atop the roof of the subject building in accordance with the site plan

ORDER RECEIVED FOR FILING
Date 9-12-96
By

submitted into evidence as Petitioner's Exhibit 1. The site plan of the property shows the proposed facility and the approximate location of the antennae on the subject building. Testimony revealed that the subject building is already being used to support wireless transmitting and receiving antennae for another communication company. Furthermore, there was no community opposition nor any adverse comments submitted by any Baltimore County reviewing agency. In addition, the the owner of the Ruxton Towers supports the proposed installation of the subject facility on top of the existing building as opposed to the installation of a monopole or tower elsewhere on the site. The Petitioners also submitted as Petitioner's Exhibit 2, the required Environmental Impact Statement, which indicates the suitability of the subject site for the proposed use.

It is clear that the B.C.Z.R. permits the use proposed in a D.R.16 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

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Date 9-12-96
By

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of September, 1996 that the Petition for Special Exception to approve a wireless transmitting and receiving facility at the subject location, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.), and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 9-12-96
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 11, 1996

Paul A. Dorf, Esquire
Adelberg, Rudow, Dorf, Hendler & Sameth
600 Mercantile Bank & Trust Building
Two Hopkins Plaza
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
NE/Corner Bellona Lane and Bellona Avenue
(8415 Bellona Lane)
8th Election District - 3rd Councilmanic District
Willard Hackerman, Legal Owner;
AT&T Wireless Services, Inc., Contract Lessee - Petitioners
Case No. 97-36-X

Dear Mr. Dorf:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Willard Hackerman
8415 Bellona Lane, Baltimore, Md. 21208

Mr. Frances Kingsbury, AT&T Wireless Services, Inc.
8403 Colesville Road, Silver Spring, Md. 20910

Mr. Jack Andrews, Broadcast Tower Sites, Inc.
4340 East West Highway, Bethesda, Md. 20814

People's Counsel; Case File

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 97-36-X
Towson, Maryland

District 8th
Date of Posting 8/9/96
Posted for: Special Exception
Petitioner: AT&T Wireless Services, Inc.
Location of property: 8415 Bellona Lane
Location of Signs: Facing Bellona Lane on property being posted
Remarks:
Posted by [signature] Date of return: 8/16/96
Number of Signs: 1

Petition for Special Exception
to the Zoning Commissioner of Baltimore County

for the property located at 8415 Bellona Lane

97-96-36-X which is presently zoned DR 16

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

an additional wireless transmitting and receiving facility pursuant to 1B01.1.C.20

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:
AT&T Wireless Services, Inc
Frances Kingsbury (Type or Print Name)
Frances Kingsbury, agent (Signature)
8403 Colesville Road (Address)
Silver Spring, MD 20910 (City, State, Zipcode)

Attorney for Petitioner:
S. Leonard Rottman
Adelberg, Rudow, Dorf, Hendler & Sameth, LLC (Type or Print Name)
(Signature)
600 Mercantile Bank & Trust Building
Two Hopkins Plaza 539-5195 (Address, Phone No.)
Baltimore, MD 21201 (City, State, Zipcode)

Legal Owner(s):
Willard Hackerman (Type or Print Name)
(Signature)
(Type or Print Name)
(Signature) 821-1460
~~1 Slade Avenue~~ 484-7818 (Address, Phone No.)
Baltimore, MD 21208 (City, State, Zipcode)
Name, Address and phone number of legal owner, contract purchaser, or representative to be contacted.
Jack Andrews, Broadcast Tower Sites, Inc.
4340 East West Hwy, Bethesda, MD 20814
(301) 652-1496 (Address, Phone No.)

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following dates N/A Next Two Months
ALL OTHER
REVIEWED BY: SNJ DATE 7-25-96

Zoning Administration & Development Management

ORDER RECEIVED FOR FILING
Date
By

32

Description 96-36-X

To Accompany Petition for Special Exception

4.78 Acre Parcel

Part of the Willard Hackerman Property

Northeast Side of Bellona Lane

Northwest Side of Bellona Avenue

Eighth Election District, Baltimore County, Maryland

DMW

Daft McCune Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
410 296 3333
Fax 296 4705

A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals

Beginning for the same on the northeast side of Bellona Lane, 50 feet wide, at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Bellona Lane with the centerline of Bellona Avenue (1) North 04 degrees 50 minutes 10 seconds West along said centerline of Bellona Lane 68 feet, more or less, and thence (2) North 85 degrees 09 minutes 50 seconds East 25 feet to the point of beginning, thence leaving said beginning point and binding on said northeast side of Bellona Lane (1) North 04 degrees 50 minutes 10 seconds West 1074.45 feet, thence leaving said lane (2) North 87 degrees 29 minutes 30 seconds East 115.58 feet to the southwest side of the Baltimore Beltway - Charles Street Interchange, thence binding on the southwest and northwest sides of the said interchange, the four following courses and distances, viz: (3) South 41 degrees 35 minutes 20 seconds East 169.84 feet, thence (4) South 12 degrees 44 minutes 00 seconds East 288.14 feet, thence (5) South 08 degrees 33 minutes 30 seconds West 651.35 feet, and thence (6) South 47 degrees 10 minutes 20 seconds West 74.42 feet to intersect the northwest side of Bellona Avenue, thence binding thereon the

Page 1 of 2

32

97-37-X

two following courses and distances viz: (7) South 86 degrees 03 minutes 20 seconds West 17.00 feet, and thence (8) North 49 degrees 08 minutes 20 seconds West 43.21 feet to the point of beginning; containing 4.78 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

June 21, 1996

Project No. 96036.11

STATE OF MARYLAND
No. 21414
REGISTERED
PROFESSIONAL
LAND SURVEYOR
CERTIFICATE
THE SURVEY

Page 2 of 2

32

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-36-X
(Item 32)
8415 Bellona Lane
S/S Bellona Lane, SEC Judges Lane
8th Election District
3rd Councilmanic
Legal Owner(s):
Willard Hackerman
Contract Purchaser/Lessee:
AT&T Wireless Services, Inc
Special Exception: for an additional wireless transmitting and receiving facility.
Hearing: Tuesday, September 3, 1996 at 11:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.

8/151 August 8. C72819

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/8, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/8, 1996.

THE JEFFERSONIAN,
A. Hennessy
LEGAL AD. - TOWSON

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: _____ Petitioner: Atlas Acting Services, Inc

Location: 8415 Bellona Lane - Towson, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: S. Leonard Rottman

ADDRESS: Suite 600 Mercantile Bldg
Two Hopkins Plaza Baltimore MD 21201

PHONE NUMBER: 539-5195

32

Printed with Soybean Ink on Recycled Paper

12

TO: PATUXENT PUBLISHING COMPANY
August 8, 1996 Issue - Jeffersonian

Please foward billing to:

S. Leonard Rottman, Esq.
Suite 600 Mercantile B.O
Two Hopkins Plaza
Baltimore, Maryland 21201
539-5195

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-36-X (Item 32)
8415 Bellona Lane
E/S Bellona Lane, SEC Judges Lane
8th Election District - 3rd Councilmanic
Legal Owner(s): Willard Hackerman
Contract Purchaser/Lessee: AT&T Wireless Services, Inc.

Special Exception for an additional wireless transmitting and receiving facility.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 2, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-36-X (Item 32)
8415 Bellona Lane
E/S Bellona Lane, SEC Judges Lane
8th Election District - 3rd Councilmanic
Legal Owner(s): Willard Hackerman
Contract Purchaser/Lessee: AT&T Wireless Services, Inc.

Special Exception for an additional wireless transmitting and receiving facility.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Willard Hackerman
Jack Andrews/Broadcast Tower Sites, Inc.
AT&T Wireless Services, Inc.
S. Leonard Rottman, Esq.

NOTES. (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 1996

S. Leonard Rottman, Esquire
Adelberg, Rudow, Dorf, Hendler & Sameth, LLC
600 Mercantile Bank & Trust Building
Two Hopkins Plaza
Baltimore, MD 21201

RE: Item No.: 32
Case No.: 97-36-X
Petitioner: Willard Hackerman

Dear Mr. Rottman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: August 9, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 12, 1996
Item Nos. 026, 027, 028, 031, 032, 034, 035, 036, 037, 040, 041, and 042

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE21

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 08/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 05, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:26,27,28,29,30,31,32,34, 35,36,37,38,39 AND 41.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office. PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM DATE: Aug 8, 96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 5, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 26, 27, 29, 30, 31, 32, 34, 36, 37, 40, 41, 42

RBS:sp

BRUCE2/DEPRM/TXTSBP

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

8-5-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Re: Baltimore County
Item No. 032 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: August 1, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 18, 26, 29, 31, (32) 34, 35, 36, 37, 39, 40, 41, and 42

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W Long

Division Chief: Carl L. Lewis

PK/JL

ITEM18/PZONE/TXTJWL

RE: PETITION FOR SPECIAL EXCEPTION
8415 Bellona Lane, E/S Bellona Lane,
SEC Judges Lane, 9th Election District,
3rd Councilmanic
Legal Owner(s): Willard Hackerman
Contract Purchaser/Lessee: AT&T Wireless Services, Inc.
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-36-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to S. Leonard Rottman, Adelberg, Rudow, Dorf, 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Environmental Impact Statement

AT&T Wireless Services, Inc.
8415 Bellona Lane Site

July 1996
Project No. 96036.11

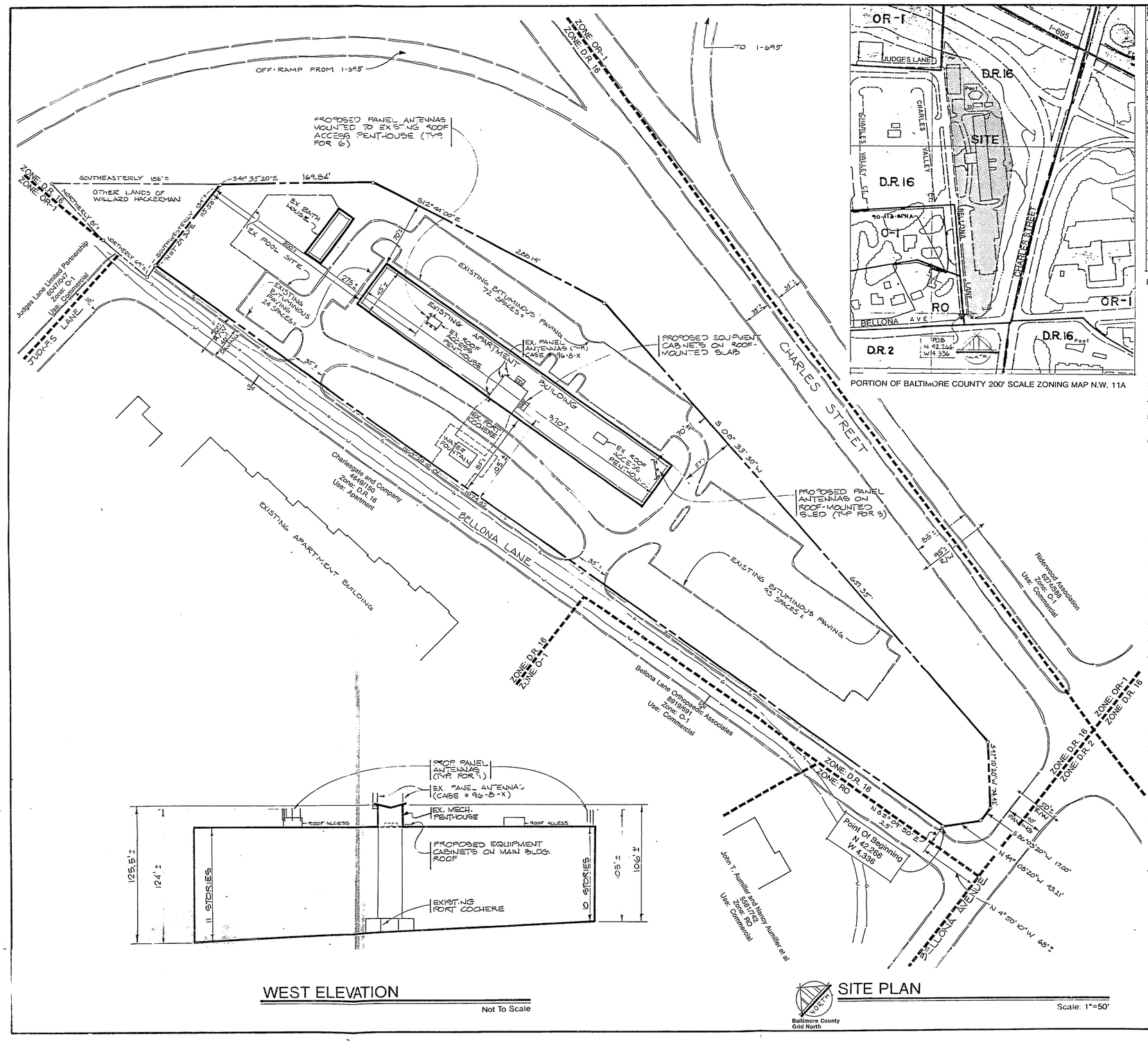
Prepared for:
AT&T Wireless Services, Inc.
8403 Colesville Road
Silver Spring, MD 20910

STATE OF MARYLAND
EDMUND F. [illegible]
No. 3892
REGISTERED
PROFESSIONAL ENGINEER

DMW

Prepared by:
Dalt-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286

PETITIONER'S EXHIBIT 2



WEST ELEVATION

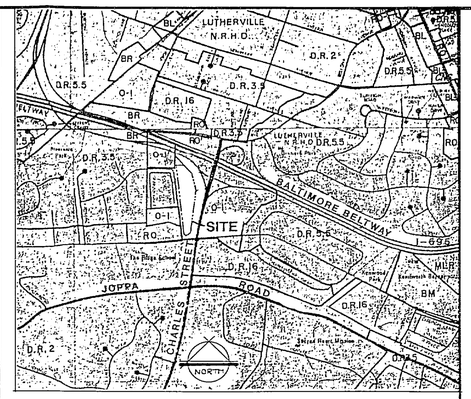
Not To Scale

SITE PLAN

Scale: 1"=50'

Baltimore County Grid North

PORTION OF BALTIMORE COUNTY 200' SCALE ZONING MAP N.W. 11A



PORTION OF BALTIMORE COUNTY 1000' SCALE ZONING MAPS E-2 & D-2.

NOTES:

1. Current owner and street address: Willard Hackerman, 1 Slade Avenue, Baltimore MD 21208
2. Contract lessee-Petitioner: AT&T Wireless Services, Inc, 8403 Colesville Road, Silver Spring MD 20910
3. Site area: 4.78 Ac ±
4. Existing use: High-rise apartments
5. Site Address: 8415 Bellona Lane, Towson, MD 21204
6. Site data: Tax map 60, block 23, parcel 521; Deed reference: 5954/742; Tax Account No 09-0903371952; Zoning: D.R.16; Election District: 8; Councilmanic District: 3
7. The proposed wireless transmitting and receiving facility will consist of six panel antennas mounted to an existing rooftop access penthouse, three panel antennas on a rooftop sled mount, and two equipment cabinets installed on a rooftop pad.
8. No new or additional water or sanitary utilities are required for the proposed wireless transmitting and receiving facility.
9. The information and boundary location shown hereon have been compiled from deeds, plats, and other sources believed to be reliable; however their accuracy is not guaranteed and is subject to revision.
10. Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times. An Environmental Impact Statement will be provided at the hearing.
11. No lights are proposed for the wireless transmitting and receiving facility.
12. There are no signs proposed for this facility.
13. Setbacks: Non-residential principal structure in a D.R.16 zone pursuant to §1B01.2.C.1.a

	Required	Existing to building	Provided to wireless facility
Front:	30'	85'±	105'±
Side (north)	25'	200'±	275'±
Rear:	30'	57'±	70'±

14. Amenity open space: N/A
15. Parking: Proposed Spaces: 0

    The proposed wireless transmitting and receiving facilities do not block or affect any existing parking spaces
16. This site was the subject of Zoning Case No. 96-8-X which requested a Special Exception for a wireless transmitting and receiving facility. The requested relief was granted by an Order dated August 16, 1995
17. This site was the subject of the following permits: 494-73, 739-73, 923-73, 25-74 & B245656

96-36-X

Attorney: S. Leonard Rottman, Adelberg, Rudow, Dorf, Hendler & Sameth, LLC, 600 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, MD 21201, (410) 539-5195

PETITIONER'S EXHIBIT — PRINTED JUN 25 1996 — DAFT-McCUNE-WALKER, INC.

Requested Zoning Action

Special Exception pursuant to BCZR §1B01.1.C.20 to permit an additional wireless transmitting and receiving facility in a D.R.16 zone

Pursuant to §307.1 of the Baltimore County Zoning Regulations, §502.1.C.1, 2, 3, 4 and 5 of the B.C.Z.R.

DMW
Daft McCune Walker, Inc.
A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals
200 E. Pennsylvania Avenue, Towson, Maryland 21286
(410) 296-3333
Fax: 296-4705

Site Plan to Accompany Petition for Special Exception

AT&T WIRELESS SERVICES℠

Lutherville Site

8th Election District — Baltimore County, Maryland

No	Description	Date
REVISIONS		
Proj. No.	96036.11	
Date	21 JUN 96	
Scale	As Shown	
Last Rev.		

Sheet 1 OF 1

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